

ATTACHMENT

EXHIBIT A

United States District Court

DISTRICT OF MA

UNITED STATES OF AMERICA

v.

ORDER SETTING CONDITIONS OF RELEASE

Juan Rivera Alvarado
Defendant

Case Number: 04-10197-MLW

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at (if blank, to be notified) _____
Place

on _____

Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- (☒) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- (☒) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of ten thousand dollars (\$ 10,000) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- () (6) The defendant is placed in the custody of:

(Name of person or organization) _____

(Address) 197 Cambridge St

(City and state) Allston, MA

(Tel. No.) _____

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed X. Juan A. Rivera
Custodian or Proxy

- () (7) The defendant shall:

() (a) maintain or actively seek employment.

() (b) maintain or commence an educational program.

☒ (c) abide by the following restrictions on his personal associations, place of abode, or travel:

May leave home for appointments, be approved by Pretrial Services and 911 emergencies.

() (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:

() (e) report on a regular basis to the supervising officer.

() (f) comply with the following curfew: _____

☒ (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

() (h) refrain from excessive use of alcohol.

() (i) refrain from any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

() (j) undergo medical or psychiatric treatment and/or remain in an institution, as follows: _____

☒ (k) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property Ten thousand dollars

() (l) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: _____

() (m) execute a bail bond with solvent sureties in the amount of \$ _____

() (n) return to custody each (week)day as of _____ o'clock after being released each (week)day as of _____ o'clock for employment, schooling, or the following limited purpose(s): _____

() (o) surrender any passport to _____

☒ (p) obtain no passport.

☒ (q) submit to urine analysis testing upon demand of the supervising officer. or other random testing

() (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the supervising officer.

☒ (s) submit to an electronic monitoring program as directed by the supervising officer.

☒ (t) Do not to reside @ 197 Cambridge St., Allston, MA

Notify Pretrial Services of an arrest within 24 hrs.

Advice of Penalties and Sanctions

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND

A violation of any of the foregoing conditions of release may result in immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of any crime while on pre-trial release may result in an additional sentence to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to five years of imprisonment, and a \$250,000 fine or both to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court, or to obstruct a criminal investigation. It is also a crime punishable by up to ten years of imprisonment, a \$250,000 fine or both, to tamper with a witness, victim or informant, or to retaliate against a witness, victim or informant, or to threaten or attempt to do so.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Juan A. Rivera
Signature of defendant
197 Cambridge St.
Address
allston, Ma
City and State Telephone

Directions to United States Marshal

- ☒ The defendant is ORDERED released after processing.
☐ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: July 22, 2004

Marianne B. Bowler USMJ
Signature of Judicial Officer
MARIANNE B. BOWLER
Chief UNITED STATES Magistrate Judge
Name and Title of Judicial Officer

EXHIBIT B

U.S. Department of Justice

Immigration and Naturalization Service

Immigration Detainer - Notice of Action

Case No: BOS0406000129
 File No. A077 240 715
 Date: July 9, 2004

TO: (Name and title of institution)
 US MARSHALS, BOSTON, MA
 1 COURT HOUSE WAY
 BOSTON, MA 02210

From: (INS office address)
 BOSTON, MA, DISTRICT OFFICE
 DISTRICT DIRECTOR
 JOHN F. KENNEDY FEDERAL BUILDING
 Boston, MA 02203

Name of alien: RIVERA-ALVARADO, Juan AntonioDate of birth: 12/08/1975Nationality: HONDURASSex: M

You are advised that the action noted below has been taken by the Immigration and Naturalization Service concerning the above-named inmate of your institution:

- ☐ Investigation has been initiated to determine whether this person is subject to removal from the United States.
☐ A Notice to Appear or other charging document initiating removal proceedings, a copy of which is attached, was served on

(Date)

- ☐ A warrant of arrest in removal proceedings, a copy of which is attached, was served on

(Date)

- ☒ Deportation or removal from the United States has been ordered.

It is requested that you:

Please accept this notice as a detainer. This is for notification purposes only and does not limit your discretion in any decision affecting the offender's classification, work, and quarters assignments, or other treatment which he or she would otherwise receive.

- ☒ Federal regulations (8 CFR 287.7) require that you detain the alien for a period not to exceed 48 hours (excluding Saturdays, Sundays and Federal holidays) to provide adequate time for INS to assume custody of the alien. You may notify INS by calling 617-565-3304 during business hours or 617-989-6621 after hours in an emergency.

- ☐ Please complete and sign the bottom block of the duplicate of this form and return it to this office. ☐ A self-addressed stamped envelope is enclosed for your convenience. ☐ Please return a signed copy via facsimile to

(Area code and facsimile number)

Return fax to the attention of _____, at _____

(Name of INS officer handling case)

(Area code and phone number)

- ☒ Notify this office of the time of release at least 30 days prior to release or as far in advance as possible.

- ☒ Notify this office in the event of the inmate's death or transfer to another institution.

- ☐ Please cancel the detainer previously placed by this Service on _____

ELIZABETH POLEET

(Signature of INS official)

SPECIAL AGENT

(Title of INS official)

Receipt acknowledged:

Date of latest conviction: _____ Latest conviction charge: _____

Estimated release date: _____

Signature and title of official: Ken W. MacFadden 7-12-04

EXHIBIT C

U.S. Department of Justice
Immigration and Naturalization Service

Notice of Intent/Decision to Reinstate Prior Order

File No. A077 240 715
Case No: BOS0406000129
Date: June 8, 2004

Name: Juan Antonio RIVERA-ALVARADO

In accordance with section 241(a)(5) of the Immigration and Nationality Act (Act) and 8 CFR241.8, you are hereby notified that the Attorney General intends to reinstate the order of Removal entered against you. This intent is based on the following determinations:

1. You are an alien subject to a prior order of deportation / exclusion / removal entered on June 1, 1998 at

Houston, Texas
(Location)

2. You have been identified as an alien who:

☒ was removed on June 29, 1998 pursuant to an order of deportation / exclusion / removal.

☐ departed voluntarily on _____ pursuant to an order of deportation / exclusion / removal on or after the date on which such order took effect (i.e., who self-deported).

3. You illegally reentered the United States on or about Unknown Date at or near Brownsville, TX.

In accordance with Section 241(a)(5) of the Act, you are removable as an alien who has illegally reentered the United States after having been previously removed or departed voluntarily while under an order of exclusion, deportation or removal and are therefore subject to removal by reinstatement of the prior order. You may contest this determination by making a written or oral statement to an immigration officer. You do not have a right to a hearing before an immigration judge.

The facts that formed the basis of this determination, and the existence of a right to make a written or oral statement contesting this determination, were communicated to the alien in the SPANISH language.

PAUL JORDAN
(Printed or typed name of official)

SSA Paul Jordan
(Signature of officer)

SENIOR SPECIAL AGENT

(Title of officer)

Acknowledgment and Response

I ☐ do ☒ do not wish to make a statement contesting this determination.

6/8/04
(Date)

X Juan A Rivera
(Signature of Alien)

Decision, Order, and Officer's Certification

Having reviewed all available evidence, the administrative file and any statements made or submitted in rebuttal, I have determined that the above-named alien is subject to removal through reinstatement of the prior order, in accordance with section 241(a)(5) of the Act.

June 8, 2004
(Date)

BOSTON, MA
(Location)

BRUCE CHADBOURNE CHERYL BASSETT
(Printed or typed name of official)

[Signature]
(Signature of authorized deciding INS official)

INTERIM FIELD DIRECTOR Supervising Special Agent
(Title)

EXHIBIT D



U.S. Department of Homeland Security
Bureau of Immigration and Customs Enforcement

JFK Federal Bldg
Boston, MA 02203

Thursday, June 24, 2004

Consulate-General of Honduras
35 West 35th Street
6th Floor
New York NY, 10001

Ref: A 077-240-715

Dear Sir/Madam:

Herewith is personal data relating to Juan RIVERA-Alvarado, a national of Honduras, for whom travel document facilities are desired.

The subject is presently incarcerated by this Service and we are ready to complete the deportation proceedings in this case. Therefore, it would be greatly appreciated if you would expedite the issuance of a travel document.

Should you need additional information, please contact Claudia English at (617)565-1566.

Thank you for your assistance and cooperation in this matter.

Sincerely,

Bruce E. Chadbourne
Field Office Director
New England Field Office

Enclosures:

- 4 photographs
- 4 copies information for travel docu
- 1 copy of Order to Show Cause/Noti
- 1 copy of Decision of Immigration J
- 1 Warrant of Deportation/Removal
- Passport

6572 2552 2000 0922 600

U.S. Postal Service TM	
CERTIFIED MAIL TM RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

REQUEST



Sent to Consulate - Honduras
No. 1

EXHIBIT E



**CONSULATE GENERAL OF HONDURAS
NEW YORK**



35 West 35th Street, 6 Floor, New York, NY 10001
Tel.: (212)714-9450 • Fax: (212) 714-9453

Yo Antonieta Maximo, Consul General de Honduras en la ciudad New York, Estado de New York, Estados unidos de Norte America, concede Salvo Conducto al Señor.

JUAN ANTONIO RIVERA ALVARADO

Lugar de Nacimiento
Fecha de Nacimiento
Profesión u Oficio
Estado Civil
Pelo
Ojos
Color de Tez
Estatura
Señas Particulares

FILIACION

Cololoca, Lempira
8 de Diciembre 1975
Obrero
Casado
Negro
Café Oscuro
Trigueño
1.75 Mts
Ninguna



Se extiende el presente documento de conformidad, al Artículo 19 de la Ley de pasaportes de Honduras, El titular no presento ningun Documento de Identificación por lo que procedimos a interrogarlo y cumplio con lo Solicitado.

Este Consulado ruega a las Autoridades (del Pais receptor) y Hondureñas aceptar este documento como pasaporte provisional.

New York, N.Y. 11 de Agosto de 2004

Antonieta Maximo
Cónsul General

Este documento vence el : 11 de Septiembre 2004

Government Services

Un-Escorted Government Travel Reservation Form

Please be sure to complete all applicable boxes. You will receive follow up and confirmation of your travel within 24 hours.

Total # of Aliens:



Date

8/17/2004 8:16:03 AM Expedite Request ☐

Supervisor/POC Name

Alex Godinez

Daytime Phone

617 565 1632

Fax

Email

Alex.Godinez@dhs.gov

District Office:

Boston

Alien 0

Alien Information

Alien First Name

Rodas

Middle

Alien Last Name

Alvarado

Nationality

Honduras

Alien Date of Birth and place:

10/20/68

Alien Gender

☒ Male ☐ Female

Security Classification

☒ Confidential ☐ Top Secret ☐ Secret

Alien Number

A76 317 829

Alien Travel Document

Issued by the Consulate in New York

Grounds for removal:

reentry

Justification

Alien 1

Alien Information

Alien First Name

Juan

Middle

Alien Last Name

Rivera

Nationality

Honduras

Alien Date of Birth and place:

12/08/75

Alien Gender

☒ Male ☐ Female

Security Classification

☒ Confidential ☐ Top Secret ☐ Secret

Alien Number

Alien Travel Document

Grounds for removal:

Justification

Ticket Delivery: ☒ Electronic Ticket ☐ Paper Ticket

There is an extra cost applied for paper tickets. *Ticket Delivery address required on paper tickets.*

Office Name






Address

Address

Suite

City State Zip

Air Reservations

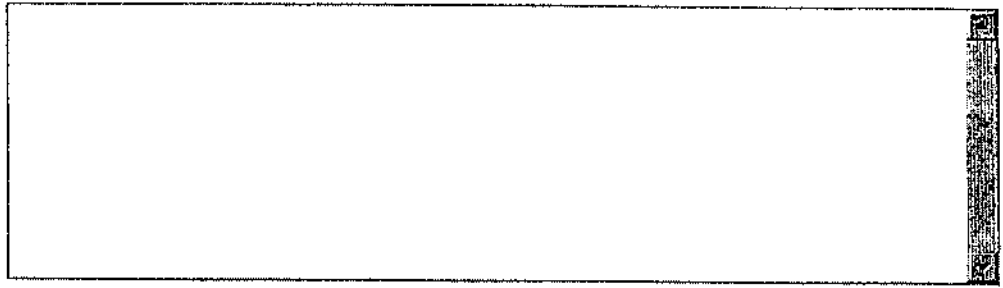
	Date	From: City/Airport	To: City/Airport	Departure Time	Arriv
1	<input type="text" value="08/25/2004"/> 	<input type="text" value="Boston"/>	<input type="text" value="Tegulcigalpa, Honduras"/>	<input type="text"/>	<input type="text"/>
2	<input type="text"/> 	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3	<input type="text"/> 	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4	<input type="text"/> 	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
5	<input type="text"/> 	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Special Meals: ☐ Yes ☐ No Specify Meal

Seat Assignment

☐ Aisle ☐ Window

**Additional Information
and Comments**



Reset

Send to Omega servicing district:

Boston